

# 106<sup>th</sup> TN General Assembly

## First Regular Session



**Wednesday, June 10, 2009**

Senate – 41<sup>st</sup> Legislative Day      House – No Session

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### SENATE

#### THIRD CONSIDERATION

##### Consent Calendar:

Calendar re-set to 6/11/09

##### Consent Calendar #2:

Calendar re-set to 6/11/09.

##### Regular Calendar:

HJR 59 – RE-SET to 6/11/09.

#### OTHER ACTION

SR 164 – s/r ADOPTED v.v.

SJR 622 – s/r ADOPTED 31-0.

HJR 649 – s/r CONCURRED.

#### COMMITTEE REPORTS

TRANSPORTATION – SHR #12 –

Rec. for adopt., ref. to FW&M – SJR's 623, 624, 625, 626.

#### MESSAGE FROM THE GOVERNOR

SB's 113, 166 – SIGNED 6/4/09.

SB's 226, 395, 600, 681, 718, 737, 774, 776, 788, 809, 836, 1446, 1456, 1471, 1548, 1567, 1627, 1745, 2002, 2042, 2085, 2150, 2192, 2224, 2299 - SIGNED 6/5/09.

SB's 169, 473, 547, 959, 1032, 1638, 2090, 2169, 2184, 2240, 2371 – SIGNED 6/9/09.

SJR's 356, 5356, 536, 537, 538, 539, 540, 541, 542, 545, 546, 547, 548, 549, 550, 551, 552, 553, 554, 555, 556, 557, 558, 559, 560, 561, 562, 564, 565, 566, 567, 568, 569, 570, 571, 633 – SIGNED 6/9/09.

## CALENDARS FOR THURSDAY, JUNE 11, 2009

### Consent

1. **SJR 0630 by \*Ketron**  
Memorials, Professional Achievement - Barbara Woods, Mayor of Lewisburg -
2. **SJR 0631 by \*Ketron**  
Memorials, Recognition - Michael Dinwiddie, Mayor of Spring Hill -
3. **SJR 0632 by \*Black**  
Memorials, Public Service - 1st Lieutenant Jonathan Lessmann, United States Army -
4. **SJR 0634 by \*Gresham**  
Memorials, Academic Achievement - Kristen Brooke Azevedo, Adamsville High School -
5. **SJR 0635 by \*Herron**  
Memorials, Sports - Coach Bret Campbell and the University of Tennessee-Martin basketball team
6. **SJR 0636 by \*Herron**  
Memorials, Academic Achievement - Will Miller, Valedictorian, Obion County Central High School -
7. **SJR 0637 by \*Herron**  
Memorials, Academic Achievement - Wyatt Carr, Salutatorian, Union City High School -
8. **SJR 0638 by \*Herron**  
Memorials, Academic Achievement - Katie Elizabeth Donaldson, Salutatorian, Obion County Central High School -
9. **SR 0161 by \*Ramsey**  
Memorials, Interns - Rory James McGuire -
10. **SJR 0639 by \*Finney L**  
Memorials, Recognition - Major General William M. Maloan -
11. **SJR 0640 by \*Finney L**  
Memorials, Death - Milton Ray Coats -
12. **SJR 0641 by \*Beavers**  
Memorials, Personal Occasion - Barton's Creek Baptist Church, 160th anniversary
13. **SJR 0642 by \*Norris**  
Memorials, Professional Achievement - Hal Williford -
14. **SJR 0643 by \*Woodson, Ford, O.**  
Memorials, Recognition - Reverend Martha Kathryne Bowen Wagley -

### Consent #2

1. **\*SB 0345 by \*Johnson (HB 1017 by \*Lynn, Kernell, Cobb J)**  
Sunset Laws - As introduced, extends information systems council, June 30, 2015. - Amends TCA Title 4, Chapter 29 and Title 4, Chapter 3.
2. **SB 1045 by \*Johnson (\*HB 1041 by \*Lynn, Kernell, Cobb J)**  
Sunset Laws - As introduced, extends Tennessee public television council, June 30, 2014. - Amends TCA Title 4, Chapter 29 and Title 49, Chapter 50.
3. **SB 1052 by \*Johnson (\*HB 1100 by \*Lynn, Kernell, Cobb J)**  
Sunset Laws - As introduced, extends state capitol commission, June 30, 2012. - Amends TCA Title 4, Chapter 29 and Title 4, Chapter 8.
4. **\*SB 1522 by \*Burchett (HB 1650 by \*Armstrong, Shaw, Miller L)**  
Public Health - As introduced, adds providing advice to the commissioner of finance and administration concerning the state health plan developed by the state health planning division of the department of finance and administration to the duties of the health equity commission. - Amends TCA Title 3, Chapter 15, Part 4.
5. **SB 2220 by \*Johnson (\*HB 2364 by \*Curtiss)**  
Fiscal Review Committee - As introduced, revises the composition of the fiscal review committee's subcommittee on contract services. - Amends TCA Title 3, Chapter 7, Part 1 and Title 12.
6. **\*SJR 0140 by \*Crowe**  
General Assembly, Studies - Continues Select Joint Committee on Veterans Affairs. -

(Senate Consent #2 cont.)

**7. SJR 0584 by \*Burks**

Naming and Designating - "Dairy Month," June 2009 -

**8. SJR 0644 by \*Woodson, Yager**

Naming and Designating - "Tennessee Students Reach Out Week", January 24-30, 2010 -

**Consent #3**

**1. SJR 0645 by \*Woodson, Burchett, McNally**

Memorials, Retirement - Fred Corum -

**2. SJR 0646 by \*Crowe**

Memorials, Personal Occasion - Jim Kalogeros, 90th birthday -

**3. SJR 0648 by \*Henry**

Memorials, Public Service - Margaret Tolleson -

**4. SJR 0650 by \*Black**

Memorials, Recognition - Bible Baptist Church, 40th anniversary -

**5. SR 0162 by \*McNally**

Memorials, Retirement - V.L. Stonecipher -

**6. SR 0163 by \*McNally**

Memorials, Recognition - Brandon Caleb Phillips -

**7. HJR 0622 by \*Cobb C**

Memorials, Retirement - Bobby Vanatta -

**8. HJR 0623 by \*Evans**

Memorials, Recognition - Jo Ann Nickens -

**9. HJR 0624 by \*Bone, Lynn**

Memorials, Personal Occasion - Robert and Faye Dedman, 50th anniversary

**10. HJR 0625 by \*Bone**

Memorials, Professional Achievement - Don Chambers, 2009 Lifetime Achievement Award, Tennessee Road Builders Association -

**11. HJR 0626 by \*Hensley, Cobb T**

Memorials, Sports - Summertown Eagles, Class A baseball champions -

**12. HJR 0627 by \*Hensley**

Memorials, Professional Achievement - Benny Pace, Director of the Year Award -

**13. HJR 0629 by \*McDonald, Maggart**

Memorials, Recognition - Bible Baptist Church, 40th anniversary -

**14. HJR 0631 by \*Casada, Johnson P**

Memorials, Academic Achievement - David Dickenson, Valedictorian, Fairview High School -

**15. HJR 0632 by \*Casada, Johnson P**

Memorials, Academic Achievement - Callie Barnhill, Salutatorian, Fairview High School -

**16. HJR 0633 by \*Cooper B**

Memorials, Recognition - Andy Honeycutt -

**17. HJR 0634 by \*Brown, Favors**

Memorials, Sports - Chattanooga Howard High School girls' track team, 2009 TSSAA Class A/AA State Champions -

**18. HJR 0636 by \*Fincher**

Memorials, Recognition - Williams Wholesale Supply, 70th anniversary -

**19. HJR 0637 by \*Eldridge, McDaniel**

Memorials, Retirement - Kelly Holmes -

**20. HJR 0638 by \*Cobb J**

Memorials, Retirement - Dallas Smith -

**21. HJR 0639 by \*Cobb J**

Memorials, Professional Achievement - Don E. Mathis, Department Commander, American Legion -

**22. HJR 0640 by \*Cobb J**

Memorials, Recognition - James C. Thurman -

**23. HJR 0641 by \*Cobb T**

Memorials, Death - Sharon Denise Hardison Sandrell -

(Senate Consent #3 cont.)

- 24. HJR 0642 by \*Floyd, Cobb J, Favors, Dean, Brown, McCormick**  
Memorials, Recognition - Soddy-Daisy Fire Department, 40th anniversary -
- 25. HJR 0643 by \*Evans**  
Memorials, Recognition - Bransford Youth and Community Center -
- 26. HJR 0644 by \*Evans, Tidwell, Sargent, Casada**  
Memorials, Recognition - Linden Valley Baptist Conference Center, 60th anniversary -
- 27. HJR 0645 by \*Evans, Yokley, Sargent, Casada**  
Memorials, Recognition - Carson Springs Baptist Conference Center, 60th anniversary -
- 28. HJR 0646 by \*Evans**  
Memorials, Professional Achievement - Neil and Jo Petersen, Robertson County Chamber of Commerce Business of the Year -
- 29. HJR 0647 by \*Evans**  
Memorials, Personal Achievement - C. Roger Blackwood, Robertson County Chamber of Commerce Volunteer of the Year -
- 30. HJR 0648 by \*Harrison**  
Memorials, Recognition - Hancock County's Purple Heart recipients -
- 31. HJR 0650 by \*Haynes**  
Memorials, Sports - Farragut High School boys soccer team, AAA state champions -
- 32. HJR 0651 by \*Haynes**  
Memorials, Sports - Farragut High School baseball team, Class AAA state champions -
- 33. HJR 0652 by \*Williams**  
Memorials, Interns - Christopher Alan Young -
- 34. HJR 0653 by \*Williams**  
Memorials, Interns - Jennifer Michelle Langlois -
- 35. HJR 0654 by \*Williams**  
Memorials, Interns - Jerran Carter Clarke Gouge -
- 36. HJR 0655 by \*Williams**  
Memorials, Interns - Amber Rae Hazel -
- 37. HJR 0656 by \*Williams**  
Memorials, Interns - Shane W. Uselton -
- 38. HJR 0658 by \*Odom, Gilmore, Mumpower**  
Memorials, Professional Achievement - Colleen Conway-Welch, Modern Healthcare Top 25 Women in Healthcare -

### Regular

- 1. SB 1273 by \*Bunch (\*HB 0898 by \*Watson, Todd, Turner M, Dean, Rich, Evans, Johnson C, McCormick, Eldridge, Lynn, Harrison, Roach, Ford, Niceley, Brooks H, Campfield, Cobb T, Sargent)**  
Firearms and Ammunition - As introduced, allows persons with handgun carry permit to carry in public parks, public postsecondary institutions, and places where alcoholic beverages are being served; allows judges to carry firearms where law enforcement can carry if they have permit or appropriate training. - Amends TCA Title 39, Chapter 17, Part 13 and Title 70.
- 2. \*SB 1283 by \*Bunch (HB 1598 by \*Lynn, Kelsey, Evans, Campfield, Watson, Todd, Faulkner, Hill, Hensley, Rich, Eldridge, Brooks K, Lollar, Haynes, Weaver, McDonald, Johnson C, Coley, Moore, Johnson P, Dean, Maggart)**  
Religion and Religious Organizations - As introduced, prohibits a government entity from substantially burdening a person's free exercise of religion unless it demonstrates the application of the burden is essential to further a compelling government interest and is the least restrictive means of furthering that interest. -
- 3. SB 1726 by \*Bunch (\*HB 1379 by \*Johnson P, Hardaway, Moore)**  
Fines and Penalties - As introduced, allows criminal court or clerk to convert a defendant's unpaid fines, costs, and litigation taxes at time of sentence expiration to civil judgment and allows court to enter into agreement with defendant to perform community service work in lieu of payment of such fines, costs, and taxes. - Amends TCA Title 40.

(Senate Regular Calendar cont.)

**4. \*HJR 0052 by \*McDonald, Casada, Turner L, Naifeh, Maddox, Litz, Odom, Winningham, Borchert, Moore, Cobb T, Jones S, Fraley, Tidwell, Sontany, Coleman, Pruitt, Favors, Shaw, Cobb C, Tindell, Fitzhugh, Harmon, Camper, Armstrong, Hackworth, Pitts, Richardson, Hardaway, DeBerry J, Bone, Yokley, Fincher, Turner M, Kernell, Stewart, Shepard, Brown, Gilmore, Mumpower, McDaniel, McCord, Eldridge, Coley, Matheny, Floyd, Cooper B**

General Assembly, Statement of Intent or Position - Supports erection of statues honoring Nobel Prize recipients, Cordell Hull and Al Gore, on State Capitol grounds using solely private funds. -

**5. SB 2236 by \*Jackson (\*HB 2249 by \*Fincher, Turner M, Hardaway, Coley)**

Handgun Permits - As introduced, requires the department of safety, upon receiving information that a handgun permit applicant or holder does not meet eligibility requirements for a permit, to review the arrest records with the arresting agency and review any records of conviction to determine if the applicant or holder meets the eligibility requirements. - Amends TCA Title 4; Title 8; Title 16; Title 33; Title 38; Title 39; Title 40; Title 49; Title 54; Title 55 and Title 65.

**6. HB 1504 by \*Coleman (\*SB 1280 by \*Bunch)**

Public Records - As introduced, establishes immunity from civil liability for persons furnishing, disclosing, or requesting information without malice pursuant to public records laws. - Amends TCA Title 8, Chapter 4; Title 8, Chapter 44 and Title 10, Chapter 7.

**7. HB 2220 by \*Stewart, Dean, Cobb T (\*SB 2153 by \*Haynes)**

Criminal Procedure - As introduced, authorizes use of fingerprint as form of acknowledgment in lieu of, or in addition to, a person's signature for citations and certain other notices and documents. - Amends TCA Title 7, Chapter 63; Title 16, Chapter 1; Title 40, Chapter 7 and Title 55, Chapter 50.

**8. SB 1439 by \*Haynes (\*HB 0472 by \*Cobb C, Gilmore)**

Safety - As introduced, requires the board of alarms systems contractors to conduct a contested case hearing pursuant to the UAPA when denying an application for license or registration. - Amends TCA Title 62, Chapter 32.

**9. HB 0703 by \*Watson (\*SB 0202 by \*Bunch)**

Public Records - As introduced, designates as classified and exempt from public disclosure records that are directly related to the security of government buildings. - Amends TCA Title 10, Chapter 7.

**10. \*SB 1468 by \*Haynes, Harper (HB 1432 by \*Sontany, Rich, Hensley, Jones S, Moore, Ford , Hardaway, Haynes, Maggart, Dean, Cobb T)**

Nuisances - As introduced, includes zoning violations and violations of building and property standards and codes as nuisances for purposes of laws regarding abatement of nuisances. - Amends TCA Title 29, Chapter 3.

**11. \*HB 2376 by \*Shepard, Roach, Ford , Campfield, Bell, Lollar, McCormick, Moore, Montgomery, Weaver, Rich, Evans, Carr, Dean (SB 2334 by \*Jackson)**

Firearms and Ammunition - As introduced, modifies the methods for disposing of certain confiscated weapons. - Amends TCA Section 39-17-1317.

**12. SB 2378 by \*Bunch (HB 2411 by \*Watson)**

Polk County - As introduced, subject to local approval, revises procedure for determining the tax on the privilege of participating in an amusement, to be determined annually by the county legislative body in accordance with established criteria, rather than imposing a set fee. - Amends Chapter 2 of the Private Acts of 1981; as amended.

**13. SB 2275 by \*Kyle, Finney L, Burks (\*HB 2282 by \*Ferguson, Turner M, Maddox, Gilmore)**

Hospitals and Health Care Facilities - As introduced, enacts the "Adult Care Home Act of 2009." - Amends TCA Title 68, Chapter 11 and Title 56, Chapter 32.

**14. \*SB 0358 by \*Johnson, Stanley (HB 1050 by \*Lynn, Kernell, Cobb J)**

Sunset Laws - As introduced, extends Tennessee ethics commission, June 30, 2012. - Amends TCA Title 3, Chapter 6, Part 1 and Title 4, Chapter 29.

**15. \*SB 0371 by \*Johnson (HB 1089 by \*Lynn, Kernell, Cobb J)**

Administrative Procedure (UAPA) - As introduced, continues certain permanent rules filed with secretary of state after January 1, 2008. - Amends TCA Title 4, Chapter 5.

(Senate Regular Calendar cont.)

**16. SB 1126 by \*Norris, Jackson, Crowe (\*HB 0959 by \*Bass, McCord, Tindell, Todd, Jones U, Williams, Fincher, Watson, Rich, Lollar, Pitts, Evans, Bell, Eldridge, Cobb T, Hardaway, Shipley, Cobb J, Weaver, Dennis, Halford, Hensley, Hawk, Maddox, Faulkner, Johnson P, Hill, McCormick, Montgomery, Harrison, Moore, Haynes, Campfield, Roach)**

Handgun Permits - As introduced, makes information contained in handgun carry permit applications and renewals, information provided to agencies to investigate applicant, and records maintained relative to the permit application confidential and creates Class A fine only misdemeanor of unauthorized publication of permit information or records. - Amends TCA Section 10-7-504 and Title 39, Chapter 17, Part 13.

**17. \*HJR 0059 by \*Harmon, Dean, Hardaway**

General Assembly, Studies - Continues special joint committee established by HJR 909 of 105th General Assembly to study Tennessee's transportation funding system. -

**18. SB 0138 by \*Ketron (\*HB 0147 by \*Tindell)**

Alcoholic Beverages - As introduced, increases from 20 to 25 days time period in which manufacturers and wholesale distributors of beer must register with commissioner. - Amends TCA Title 57.

**19. SB 1141 by \*Gresham (\*HB 0670 by \*Dennis, Rich, Evans, Watson, Carr, Bell, Haynes, McCormick, Coley, Casada, Shipley, Fincher, Campfield, Hensley, Hill, Coleman, Hawk, Eldridge, Swafford, Lynn, Brooks H, Faulkner, Matlock, Halford, Williams)**

Criminal Procedure - As introduced, requires a keeper of a jail to notify the department of homeland security by facsimile transmission or other means of prisoners whose citizenship status in this country cannot be determined at time of arrest from documents in the prisoner's possession or if person is in this country illegally. - Amends TCA Title 40.

**20. \*SB 1388 by \*Johnson, Crowe (HB 1815 by \*Lynn)**

Administrative Procedure (UAPA) - As introduced, revises various provisions of the Uniform Administrative Procedures Act. - Amends TCA Title 4, Chapter 5.

**21. SB 0872 by \*Ketron (\*HB 0614 by \*Todd)**

Election Laws - As introduced, deletes all provisions requiring the purchase of precinct-based optical scanner voting systems only, including language referring to Help America Vote Act funds; deletes mandatory hand count audits of paper ballots created by such machines; deletes language. - Amends TCA Title 2 and Chapter 1108 of the Public Acts of 2008.

**22. SB 2196 by \*Kyle (\*HB 2175 by \*DeBerry L)**

Taxes, Real Property - As introduced, exempts Shelby County from prohibition against correcting clerical mistakes in tax reports or schedule filed by a taxpayer with the assessor. - Amends TCA Title 67, Chapter 5.

### Message

**1. SB 0679 by \*Woodson, Gresham, Berke, Burks, Stewart (\*HB 0714 by \*McCord, Litz)**

Safety, Dept. of - As introduced, increases from 10 days to 12 days time in which department must notify licensing state and commercial driver license information system that commercial driver has violated traffic law; increases from 10 days to 12 days time in which clerk must notify department of conviction of commercial driver violating traffic law. - Amends TCA Title 3; Title 4; Title 5; Title 6; Title 7; Title 8; Title 9; Title 12; Title 16; Title 30; Title 36; Title 39; Title 40; Title 45; Title 47; Title 48; Title 49; Title 55; Title 56; Title 57; Title 61; Title 62; Title 67; Title 68; Title 69; Title 70 and Title 71.

**2. \*SB 1573 by \*Woodson, Norris, Haynes, Overbey (HB 1448 by \*McCord, Coleman, Lundberg, Hardaway)**

Judges and Chancellors - As introduced, raises number of words from 600 to 1,000 that a report from the judicial evaluation commission on each appellate judge may contain. - Amends TCA Title 2; Title 4, Chapter 29, Part 2; Title 16 and Title 17.

**3. \*SB 1655 by \*Burks (HB 1587 by \*Curtiss)**

Local Government, General - As introduced, allows any city, town, or county to charge a records maintenance fee, not to exceed \$5.00, for each record the city, town, or county is required to maintain and to use the fees to offset the cost of maintaining such records. - Amends TCA Title 5; Title 6; Title 7; Title 10 and Title 68, Chapter 3.

### Message #2

**1. \*SB 0386 by \*Yager, Woodson, McNally, Burchett (HB 0730 by \*Ferguson, Winningham, Hackworth, Eldridge)**

Courts, Municipal - As introduced, allows certain municipal judges to concurrently serve as municipal recorder and exempts certain municipal judges from certain annual continuing education requirements imposed on municipal judges. - Amends TCA Title 16, Chapter 18, Part 3.

**2. \*SB 0387 by \*Yager, McNally (HB 0731 by \*Ferguson, Winningham, Hackworth, Windle)**

Highway Signs - As introduced, "Mayor Edwin L. Kelley Memorial Highway," segment of State Route 61/State Route 62 (Tri-County Boulevard) within Town of Oliver Springs. -

**3. SB 1338 by \*Yager (\*HB 0938 by \*Ferguson)**

County Officers - As introduced, allows Roane County to abolish or remove law enforcement powers from the office of constable upon two-thirds vote of the county legislative body. - Amends TCA Title 8, Chapter 10, Part 1.

**4. \*SB 1931 by \*Woodson, Burchett, Ketron, Overbey, Gresham, Herron, Ford, O., Marrero B, Burks (HB 1517 by \*Curtiss, Sargent, Williams, Hensley, Eldridge, Hawk, Fraley, Favors, Bell)**

Trade Regulation - As introduced, requires suppliers of gasoline products to make such products available to wholesalers in a condition that allows the wholesaler to blend it with ethanol or other biological products. - Amends TCA Title 47, Chapter 25.

**5. \*HB 1029 by \*Lynn, Kernell, Cobb J, Hardaway (SB 1049 by \*Johnson, Ford, O.)**

Sunset Laws - As introduced, extends state university and community college system, board of regents, June 30, 2016. - Amends TCA Title 4, Chapter 29 and Title 49, Chapter 8.

**6. \*HB 2324 by \*Curtiss, Turner M, Roach, Montgomery, Harrison, Eldridge (SB 2315 by \*Kyle, Henry, Marrero B)**

Unemployment Compensation - As introduced, revises the penalties and punishments imposed on any person or employing unit that knowingly violates or attempts to violate the provisions governing experience ratings for employers, or knowingly advises another person or employing unit to violate the provisions. - Amends TCA Title 50, Chapter 7 and Title 62, Chapter 43.

## **SENATE CONVENES AT 10:00 A.M., THURSDAY, JUNE 11, 2009**

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## **H O U S E**

### **OTHER ACTION**

HB 2324 – Returned by Governor as requested.

### **COMMITTEE REPORTS**

#### **CALENDAR & RULES –**

Reg. Cal. 6/11 – HB's 1360, 885, 2052, 2057, 2295, 2296, 459, 1603, 1335.

Con. Cal 6/11 – HB 1153.

Action def. – SB 1331.

#### **FINANCE, WAYS & MEANS –**

Rec. for pass., ref to C&R – HB's 1603, 1153, 2057

Rec. for pass. if am., ref to C&R – HB's 2296, 1335, 2295, 2052, 885, 459.

Action def. – HB 506.

## **SUBCOMMITTEE REPORTS**

### **BUDGET –**

Rec. for pass. – HB's 1603, 1153, 2295, 2057, 885.

Rec. for pass. if am. – HB's 2296, 1335, 2052, 506.

Action def. – HB's 1998, 1649, 2389, 1987, 1749, 2275, 1756, 1089, 2085, 386, 614, 2264, 1715, 1988.

Taken off notice – HB's 111, 949.

Behind the Budget – HR 182.

### **STUDY COMMITTEE –**

Rec. for pass. – HB 885.

Rec. for adopt. – HR 182.

Taken off notice – HB 1630.

## **MESSAGE FROM THE GOVERNOR**

HJR's 514, 515, 516, 517, 518, 519, 520, 521, 522, 523, 524, 525, 526, 527, 528, 529, 530, 531, 532, 533, 535, 536, 538, 539, 540, 541, 543, 544, 545, 548, 550, 551, 552, 553, 554, 555, 556, 558, 559, 560, 561, 562, 563, 565, 566, 567, 568, 569, 570, 571, 606 – SIGNED 6/4/09.

HJR's 277, 572, 573, 628 – SIGNED 6/5/09.

HJR's 166, 259, 286, 414, 454 – SIGNED 6/9/09.

HB's 93, 527, 590, 815, 980, 1202, 1210, 1212, 1353, 1503, 1541, 1583, 1592, 1605, 1822, 1834, 1904, 1905, 2139, 2286, 2294, 2398, 2405, 2407 – SIGNED 6/9/09.

## **CALENDARS FOR THURSDAY, JUNE 11, 2009**

### **Consent**

#### **1. HB 1868 by \*Brown (\*SB 1320 by \*Berke, Stewart, Marrero B, Burks)**

Education - As introduced, authorizes local boards of education to cooperate with community organizations to provide extended learning opportunities. - Amends TCA Title 49. - The Abstract summarizes HB1868 as introduced.

#### **2. HB 1268 by \*Favors, Sontany, Gilmore, Maddox (\*SB 1063 by \*Marrero B, Harper, Ford, O., Burks)**

Domestic Violence - As introduced, requires division of health-related boards to do an awareness campaign for health care providers concerning their reporting duties relating to domestic violence and removes the June 30, 2009, repealer for reporting duties imposed by 2007 Public Chapter 83. - Amends TCA Title 36, Chapter 3, Part 6, and Chapter 83 of the Public Acts of 2007. - The Abstract summarizes HB1268 as introduced.

### **Consent #2**

#### **1. HB 1153 by \*Ferguson, Montgomery, Mumpower, Harrison, Roach (\*SB 0837 by \*McNally, Marrero B, Bunch, Yager)**

Judicial Districts - As introduced, requires any drug testing fee that was assessed and collected in the ninth judicial district before such fee was repealed in 2007 to be designated for use by the ninth judicial district drug task force. - Amends TCA Section 39-17-420. - The Abstract summarizes HB1153 as introduced.

#### **2. HR 0186 by \*Gilmore, DeBerry L, Maggart, Weaver, Barker, Pruitt, Sontany, Lynn, Richardson, Brown, Harwell, Jones S, Cooper B, Camper**

Memorials, Recognition - Veterans Administration Tennessee Valley Healthcare System Women Veterans Healthcare Center - The Abstract summarizes HR0186 as introduced.

#### **3. HR 0187 by \*Camper**

Memorials, Academic Achievement - Erica L. Mays, Salutatorian, Wooddale High School - The Abstract summarizes HR0187 as introduced.

#### **4. HR 0188 by \*Camper**

Memorials, Academic Achievement - Desiree Mitchell, Valedictorian, Wooddale High School - The Abstract summarizes HR0188 as introduced.



(House Consent Calendar #2 cont.)

**5. HR 0189 by \*Camper**

Memorials, Academic Achievement - Demetria NeKole Kimble, Valedictorian, Oakhaven High School - The Abstract summarizes HR0189 as introduced.

**6. HR 0190 by \*Camper**

Memorials, Academic Achievement - Maria Delores Torres, Salutatorian, Oakhaven High School - The Abstract summarizes HR0190 as introduced.

**7. HJR 0659 by \*Gilmore**

Memorials, Professional Achievement - Dr. Sandra Holt, Higher Education Professional of the Year - The Abstract summarizes HJR0659 as introduced.

**8. HJR 0660 by \*Gilmore**

Memorials, Professional Achievement - Brenda Steele, Alex Green Elementary School, 2010 Principal of the Year - The Abstract summarizes HJR0660 as introduced.

**9. HJR 0661 by \*Gilmore**

Memorials, Professional Achievement - Renita J. Cobb, West End Middle School, Teacher of the Year - The Abstract summarizes HJR0661 as introduced.

**10. HJR 0662 by \*Carr, Coleman**

Memorials, Recognition - Dakota Umsted, Eagle Scout - The Abstract summarizes HJR0662 as introduced.

**11. HJR 0663 by \*Carr, Harwell**

Memorials, Academic Achievement - Patrick W. Carr, Jr. - The Abstract summarizes HJR0663 as introduced.

**12. HJR 0664 by \*Turner M**

Memorials, Interns - Anthony Tyrone Chambers - The Abstract summarizes HJR0664 as introduced.

**13. HJR 0665 by \*Coleman, Carr, Cobb C**

Memorials, Recognition - Staff Sergeant Thomas Hosfelt - The Abstract summarizes HJR0665 as introduced.

**14. HJR 0666 by \*Pitts, Johnson C, Johnson P**

Memorials, Personal Achievement - Harlin Miller, 2009 Tennessee American Legion Boys State Governor - The Abstract summarizes HJR0666 as introduced.

**Regular**

**1. \*HB 2282 by \*Ferguson, Turner M, Maddox (SB 2275 by \*Kyle, Finney L, Burks)**

Hospitals and Health Care Facilities - As introduced, enacts the "Adult Care Home Act of 2009." - Amends TCA Title 68, Chapter 11 and Title 56, Chapter 32.

**2. \*HJR 0463 by \*Dennis, Naifeh, Rich (\*SJR 420 by Gresham, Kyle, Herron, Finney)**

Highway Signs - "Paul D. Callens Memorial Highway," segment of State Route 57 in Hardin County - The Abstract summarizes HJR0463 as introduced.

**3. SJR 0627 by \*Haynes**

Memorials, Recognition - Union Hill Baptist Church, 150th anniversary - The Abstract summarizes SJR0627 as introduced.

**4. HB 1525 by \*Hawk, Harwell (\*SB 0621 by \*Southerland, Ketron)**

Schools, Charter - As introduced, removes the prohibition on cyber-based charter schools. - Amends TCA Title 49, Chapter 13, Part 1.

**5. \*HB 0738 by \*Mumpower, Odom (SB 0819 by \*Norris, Marrero B)**

Energy - As introduced, enacts the "Tennessee Energy Conservation Endorsement Act of 2009." - Amends TCA Title 65.

**6. SB 2300 by \*Kyle, Berke, Henry, McNally, Yager, Tate, Finney L, Marrero B, Herron, Burchett, Overbey, Barnes, Ford, O. (\*HB 2318 by \*Winningham, Hackworth, Brooks K, Eldridge, Johnson P, Turner M)**

Energy - As introduced, requires department of finance and administration to develop a plan for ensuring state-owned facilities have individual energy meters by 2010; includes an electric vehicle in the definition of "energy-efficient vehicle" for purposes of provisions governing energy-efficient state-owned vehicles; requires that statewide building construction safety standards include provisions for energy efficiency. - Amends TCA Title 4, Chapter 3, and 22; Title 12, Chapter 3; Title 67, Chapter 6; Title 68, Chapter 120 and Title 71, Chapter 5.

(House Regular Calendar cont.)

**7. SB 1092 by \*Stanley, Black (\*HB 0950 by \*Lynn)**

Hotels and Restaurants - As introduced, prohibits the commissioner of health, and any county or metropolitan board of health or political subdivision, from enacting an ordinance or issuing any rule or regulation pertaining to the provision of food nutritional information at food service establishments. - Amends TCA Section 68-14-303.

**8. HB 0939 by \*Ferguson (\*SB 0691 by \*Yager)**

County Officers - As introduced, requires 40 hours of training by Tn. Constable Association or Tn. Constable Council to be completed June 1 of the year following constable's election and each subsequent year during constable's entire term; requires constable to file copy of certificate of training with county clerk. - Amends TCA Title 8, Chapter 10. - The Abstract summarizes HB0939 as introduced.

**9. \*HJR 0149 by \*McCord, Armstrong, Montgomery, Maggart, Dean, Eldridge, Towns, Coley, Barker, Dunn, Shipley, Lynn, McManus, Carr, Harmon, Hackworth, Stewart, Cobb C, Cobb T, Favors, Brown, Windle, Fitzhugh, Hill, Haynes, Niceley, Johnson C, Brooks H, McCormick, Rich, Bell, Lollar, Yokley, Litz, Evans, Hawk, Halford, Shepard, Weaver, Hensley, Cooper B, Harrison, Roach, McDaniel, Winningham, Ferguson, Faulkner, Bone, Ramsey, Johnson P, Williams, Dennis**

Constitutional Amendments - Adds provisions establishing the personal right to hunt and fish, subject to reasonable regulations and restrictions prescribed by law. -

**10. \*HJR 0436 by \*Litz**

Memorials, Government Officials - Urges State Insurance Committee to rescind tobacco surcharge to be imposed against State Group Insurance Program members who use tobacco beginning January 1, 2010. - The Abstract summarizes HJR0436 as introduced.

**11. \*HB 0518 by \*Shaw, Shepard, DeBerry L, Maddox, Hardaway, Miller L, Camper, Cooper B, Towns, Gilmore, Pruitt, Jones U, Favors, DeBerry J, Brown (SB 0650 by \*Finney L)**

Economic and Community Development - As introduced, creates fund to guarantee bid, payment, and performance bonds for small contractors. - Amends TCA Title 4, Chapter 3, Part 7.

**12. \*HB 1184 by \*Ford (SB 1299 by \*Crowe)**

County Officers - As introduced, increases in-service training requirements for constables from 40 hours in the first year to 40 hours each year elected; and requires constable to file certification of completion of such in-service training with county clerk. - Amends TCA Title 8, Chapter 10. - The Abstract summarizes HB1184 as introduced.

**Regular #2**

**1. \*HB 1360 by \*Niceley, Bass, Faulkner, Borchert, McDaniel, Ford, Halford, Weaver, Litz, Shaw, Bone, Evans (SB 1899 by \*Faulk)**

Milk, Dairy Products - As introduced, enacts the "Dairy Farmers Prosperity Act." - Amends TCA Title 44 and Title 53.

**2. \*HB 0885 by \*Cooper B, Brown, Miller L, Hardaway, Turner L, DeBerry J, Richardson, Towns, Gilmore, Camper, Brooks H, Odom, Turner M, Kernell, Jones U, Armstrong, Winningham, Dunn, Coley, Windle, Cobb C, Fraley, Tindell, Bone, DeBerry L, Cobb T, Hackworth, Stewart, Lollar, Maddox, Fincher, McCormick, Montgomery, Shepard, Barker, Tidwell, Borchert, Litz, Yokley, Niceley, Favors, Dean (SB 1561 by \*Burchett)**

Education - As introduced, enacts the "Tennessee Promise Zone Act." - Amends TCA Title 49 and Title 67.

**3. HB 2052 by \*Rowland (\*SB 1686 by \*Ketrone)**

Motor Vehicles, Titling and Registration - As introduced, requires proof of valid driver license before issuance of registration or renewal of registration for a motor vehicle. - Amends TCA Title 55, Chapter 4, Part 1. - The Abstract summarizes HB2052 as introduced.

**4. HB 2057 by \*Rowland (\*SB 1600 by \*Beavers)**

Municipal Government - As introduced, places certain restrictions on municipal governments and collection agencies concerning the collection of unpaid parking tickets. - Amends TCA Title 6; Title 7; Section 40-24-105 and Title 62, Chapter 20.

**5. \*HB 2296 by \*Gilmore, Turner M (SB 2284 by \*Kyle)**

Insurance, Life - As introduced, enacts the "Tennessee Viatical Settlement Act of 2009." - Amends TCA Title 56, Chapter 50.

(House Regular Calendar #2 cont.)

**6. \*HB 0459 by \*McDonald, Maggart, Jones S (SB 0456 by \*Black)**

Juveniles - As introduced, requires the state to pay for court ordered mental health evaluations of juveniles who have been charged with commission of an offense that would be a felony if committed by an adult and directs parents who are found financially able to pay for such exams to reimburse the facility or the state. - Amends TCA Title 37, Chapter 1. - The Abstract summarizes HB0459 as introduced.

**7. \*HB 2295 by \*Jones S, Turner M, McDonald (SB 2282 by \*Kyle, Jackson, Marrero B)**

Juvenile Offenders - As introduced, revises requirements for mental health examinations of juveniles alleged to be delinquent or unruly. - Amends TCA Section 37-1-128(e) and Section 37-1-150.

**8. HB 1603 by \*Brooks H (\*SB 0605 by \*Burchett, Woodson)**

Municipal Government - As introduced, authorizes municipalities having a population of at least 100,000 to establish an ordinance and permitting process that would enable restaurants to allow admittance of patron companion dogs into designated outdoor dining areas. - Amends TCA Title 4, Chapter 3, Part 18 and Title 6, Chapter 54.

**9. HB 1335 by \*Harmon, Dean, Fraley (\*SB 0969 by \*Tracy)**

Special License Plates - As introduced, authorizes issuance of Tennessee Cave Salamander new specialty license plates; proceeds allocated to wildlife resources fund. - Amends TCA Title 55, Chapter 4. - The Abstract summarizes HB1335 as introduced.

**Message**

**1. \*HB 0237 by \*DeBerry J, Hardaway (SB 0039 by \*Marrero B)**

Domestic Relations - As introduced, removes the requirement that in a divorce if a guardian ad litem has been appointed by the court, the guardian ad litem must agree to the parenting plan before the court can approve the parenting plan. - Amends TCA Title 36, Chapter 4 and Title 36, Chapter 6.

**2. \*HB 1072 by \*Lynn, Kernell, Cobb J, Hardaway (SB 1025 by \*Johnson, Watson)**

Sunset Laws - As introduced, extends health equity commission, June 30, 2012. - Amends TCA Title 3, Chapter 15 and Title 4, Chapter 29.

**3. \*HB 2109 by \*Floyd, Favors, Evans (SB 2102 by \*Watson, Burks)**

Tort Liability and Reform - As introduced, limits the civil liability of persons who own, lease, occupy, or control land when others use such land to engage in certain off-road activities and are injured due to the inherent risks associated with engaging in such activities. - Amends TCA Title 70, Chapter 7.

**HOUSE CONVENES AT 9:00 A.M., THURSDAY, JUNE 11, 2009**